**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929**

**WP(C).No. 27159 of 2004(G)**

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**PETITIONER:**

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**SMT.PATHU W/O. (LATE) MOHIYUDDEEN**
**KUNNUMMADATHIL HOUSE, AGED 70 YEARS,**
**CHAKKIYAD, P.O.PARAKKADAVU, VADAKARA TALUK,**
**KOZHIKODE DISTRICT.**

**BY ADV. SRI.P.P.RAMACHANDRAN,**
**SRI.SHEJI P.ABRAHAM.**

**RESPONDENTS:**

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1. **UNION OF INDIA, MINISTRY OF HOME AFFAIRS**
   **GRIHAMANTRALAYAM, LOKNAYAK BHAVAN, KHAN MARKET,**
   **NEW DELHI.**

2. **DISTRICT COLLECTOR, KOZHIKODE.**

3. **VILLAGE OFFICER, CHAKKIYAD VILLAGE,**
   **VADAKARA TALUK, KOZHIKODE DISTRICT.**

4. **STATE OF KERALA, REP. BY HOME SECRETARY,**
   **SECRETARIATE, TRIVANDRUM.**

**BY ADV. SRI. JOHN VARGHESE, A.S.G.I.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.27159/2004:**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE NOTICE DT. 10/11/97 NO. 127/97 FROM THE CHEKKIAD VILLAGE OFFICER.**

**EXT.P.2: COPY OF THE DEATH CERTIFICATE DT. 03/08/2000.**

**EXT.P.3: COPY OF THE REPRESENTATION FILED BY THE PETITIONER DT. NIL.**

**EXT.P.4: COPY OF THE POSTAL RECEIPT DT. NIL.**

**RESPONDENT'S EXHIBITS: NIL.**

**//TRUE COPY//**

**prv.**

**KURIAN JOSEPH, J.**

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**W.P. (C). NO. 27159 OF 2004**

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**Dated this the 5th day of July, 2007.**

**J U D G M E N T**

This writ petition is filed with the following prayers:

> a) issue a writ of mandamus or any other writ prohibiting 2nd and 3rd respondent from ousting the petitioner from the house and property situated in R.S. 48/5 of Chekkiad Village of Badagara Taluk of Kozhikode District.
>
> b) issue a direction to the 1st respondent to consider Exhibit P3 representation.

2. There will be a direction to the first respondent to consider Exhibit P3 representation and pass appropriate orders thereon in accordance with law, within a period of four months from the date of receipt of a copy of this judgment. Interim order passed by this Court will continue till such time. It will be open to the petitioner to file a fresh representation along with a copy of this judgment.

This writ petition is disposed of as above.

**KURIAN JOSEPH, JUDGE.**

smp